

mr  
10/26/98



22883  
PATENT TRADEMARK OFFICE

CASH-001

09/093,533  
HJ

## DECLARATION

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

### Network Object Cache Engine

The specification of this subject matter:

- is attached hereto.  
 was filed on June 8, 1998;

was assigned Serial No. 09/093,533;

which was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified patent application, including the claims, as amended by any amendment(s) referred to above. I believe the subject matter claimed in the above-identified application to be new and to be unobvious to persons of ordinary skill in the art in view of the prior art of which I am aware. I further hereby state that the specification of the above-identified patent application adequately describes how to make and use the claimed invention, and further that it sets forth the best mode for practicing the invention known to me as of the date that the application was filed. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) or patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application No.	Country	Filing Date	Priority Claimed
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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FULL NAME OF INVENTOR 1	FIRST Name  Michael	MIDDLE Initial(s)  	LAST Name  Malcolm
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RESIDENCE AND CITIZENSHIP	City  Woodside	State or Foreign Country  CA	Country of Citizenship  United State
------------------------------	----------------------	------------------------------------	--

POST OFFICE ADDRESS	Number and Street  250 Family Farm Road	City  Woodside	State or Country  CA	Zip Code  94062
------------------------	---	----------------------	----------------------------	-----------------------

FULL NAME OF INVENTOR 2	FIRST Name  Robert	MIDDLE Initial(s)  	LAST Name  Zarnke
----------------------------	--------------------------	---------------------------	-------------------------

RESIDENCE AND CITIZENSHIP	City  Waterloo	State or Foreign Country  Ontario	Country of Citizenship  Canada
------------------------------	----------------------	---	--------------------------------------

POST OFFICE ADDRESS	Number and Street  383 Parkgreen Place	City  Waterloo	State or Country  Ontario	Zip Code  N2L 5S6
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I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The image shows two handwritten signatures. The first signature, "Michael Malcolm 8/28/98", is above the text "Signature of Inventor 1" and "Date 8/28/98". The second signature, "CR Zarnke Sept 23/98", is above the text "Signature of Inventor 2" and "Date Sept 23/98".

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

New  
 Resubmission (Non-Recordation)  
Document ID#   
 Correction of PTO Error  
Reel #  Frame #   
 Corrective Document  
Reel #  Frame #

**Conveyance Type**

Assignment       Security Agreement  
 License       Change of Name  
 Merger       Other   
**U.S. Government**  
(For Use ONLY by U.S. Government Agencies)  
 Departmental File       Secret File

**Conveying Party(ies)**

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
Nov. 10, 1998

Name (line 1)  MICHAEL MALCOLM

Name (line 2)

**Second Party**

Name (line 1)  ROBERT ZARNKE

Name (line 2)

Execution Date  
Month Day Year  
Nov. 18, 1998

**Receiving Party**

Mark if additional names of receiving parties attached

Name (line 1)  CacheFlow, Inc.  
Name (line 2)   
Address (line 1)  650 Almanor Avenue  
Address (line 2)   
Address (line 3)  Sunnyvale      City  CA      State/Country  94086      Zip Code

If document to be recorded  
is an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment  
of a domestic  
representative is attached.  
(Designation must be a  
separate document from  
Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name  Steven A. Swernofsky  
Address (line 1)  The Law Offices of Steven A. Swernofsky  
Address (line 2)  P.O.Box 390013  
Address (line 3)  Mountain View, CA 94040  
Address (line 4)  United States

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**Correspondent Name and Address**

Area Code and Telephone Number **650.947.0700**

Name **Steven A. Swernofsky**

Reg. No. **33,040**

Address (line 1) **The Law Offices of Steven A. Swernofsky**

Address (line 2) **P.O.Box 390013**

Address (line 3) **Mountain View, CA 94040**

Address (line 4) **United States**

**Pages**

Enter the total number of pages of the attached conveyance document  
including any attachments.

# **5**

**Application Number(s) or Patent Number(s)**

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**09/093,533**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month  Day  Year

**Patent Number(s)**

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved.

# **1**

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:  
Deposit Account

Enclosed  Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # **500365**

Authorization to charge additional fees:

Yes  No

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Steven A. Swernofsky



Jan. 21, 1999

Name of Person Signing

Signature

Date

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

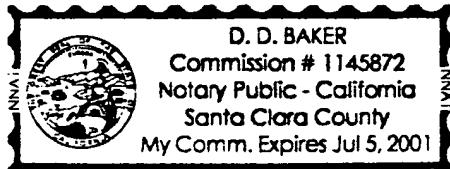
State of California

County of Santa Clara

On Nov. 10, 1998 before me, Desiree D. Baker, Notary Public,  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Michael Malcolm,  
NAME(S) OF SIGNER(S)

personally known to me - OR -  proved to me on the basis of satisfactory evidence  
to be the person(s) whose name(s) is/are  
subscribed to the within instrument and ac-  
knowledged to me that he/she/they executed  
the same in his/her/their authorized  
capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s),  
or the entity upon behalf of which the  
person(s) acted, executed the instrument.



WITNESS my hand and official seal.

D. D. Baker

SIGNATURE OF NOTARY

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

### CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL  
 CORPORATE OFFICER

TITLE(S) \_\_\_\_\_

- PARTNER(S)       LIMITED  
 ATTORNEY-IN-FACT       GENERAL  
 TRUSTEE(S)  
 GUARDIAN/CONSERVATOR  
 OTHER: \_\_\_\_\_

### DESCRIPTION OF ATTACHED DOCUMENT

Assignment

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

1

DATE OF DOCUMENT

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)

Self

Robert Zarnke  
SIGNER(S) OTHER THAN NAMED ABOVE

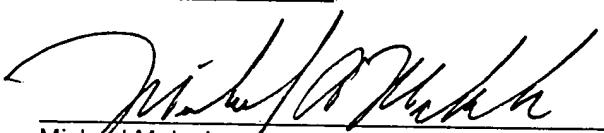
## ASSIGNMENT

WHEREAS, we, Michael Malcolm, a citizen of the United States, residing at 521 Shelby Lane, Los Altos, California, and Robert Zarnke, a citizen of Canada, residing at 383 Parkgreen Place, Waterloo, Ontario N2L 5S6, Canada, have invented a "Network Object Cache Engine" for which we have executed application papers for a U.S. patent thereon, which was filed on June 8, 1998, Serial No. 09/093,533; and

WHEREAS, CacheFlow, Inc., corporation, having a place of business at 650 Almanor Ave., Sunnyvale, California 94086, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, Michael Malcolm and Robert Zarnke, do sell, assign, transfer and set over unto the said CacheFlow, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said CacheFlow, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at \_\_\_\_\_, this \_\_\_\_\_ day of  
\_\_\_\_\_, 1998.



Michael Malcolm



Robert Zarnke

STATE OF WASHINGTON )  
COUNTY OF \_\_\_\_\_ ) ss.  
                       )

On this \_\_\_\_\_ day of \_\_\_\_\_, 1998, before me, \_\_\_\_\_, a Notary Public, personally appeared Michael Malcolm and Robert Zarnke personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

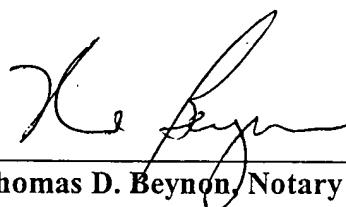
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NOTARY PUBLIC

**PROVINCE OF ONTARIO, CANADA )**  
Regional Municipality of Waterloo      )  
    )

On this 18th day of November, 1998, before me, Thomas D. Beynon, a Notary Public, personally appeared Robert Zarnke personally known to me to be one of the persons whose name is subscribed in that certain Assignment made by Michael Malcolm and Robert Zarnke in favour of Cacheflow, Inc. being an Assignment of their interest in the application for a U.S. Patent filed on June 8, 1998, having Serial No. 09/093,533 and he has acknowledged to me that he has executed the same in his personal capacity and that by his signature on the instrument he has executed the said Assignment.

WITNESS my hand and official seal.



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Thomas D. Beynon, Notary Public